

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

AUTOMATED ERROR RECOVERY OF A LICENSED INTERNAL CODE UPDATE ON A STORAGE CONTROLLER

the specification of which (check one)

X is attached hereto.
_____ was filed on _____
_____ as Application Serial No. _____
_____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

_____ Yes _____ No
None _____
(Number) (Country) (Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

None _____
(Application Serial No.) (Filing Date) (Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

IBM DOCKET: TUC920030159US1
Page 2 of 3

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

John H. Holcombe (#20,620)
Robert M. Sullivan (#39,391)
Randall J. Bluestone (#40,518)
John E. Hoel (#26,279)
Abdy Raissinia (#38,686)
Dale M. Crockatt (#35,109)
John C. Kennel (#48,562)

Jean M. Barkley (#39,541)
Christopher A. Hughes (#26,914)
Edward A. Pennington (#32,588)
Paik Saber (#37,494)
Allen K. Bates (#50,276)
William D. Gill (#44,124)
Bryan W. Butler (#44,043)

Send correspondence to:

Keith A. Bates
IBM Corporation
9000 S. Rita Road, 90A/9032-1
Tucson, AZ 85744

Direct Telephone Calls to:

Keith A. Bates, 520-799-2800

Full name of sole or first joint-inventor: Edward George Butt

Inventor's signature: *Edward George Butt* Date: 9/29/03

Residence: 560 South Spinepoint Place, Tucson, AZ 85748

Citizenship: USA

Post Office Address: Same

Full name of second joint-inventor: Jack Harvey Derenburger

Inventor's signature: *Jack Harvey Derenburger* Date: 9/29/03

Residence: 5285 North Coronado Place, Tucson, AZ 85750

Citizenship: USA

Post Office Address: Same

Full name of third joint-inventor: Steven Douglas Johnson

Inventor's signature: *Steven Douglas Johnson* Date: 9/29/03

Residence: 5225 East 24th Street, Tucson, AZ 85711

Citizenship: USA

Post Office Address: Same

Full name of fourth joint-inventor: Vernon J. Legvold

Inventor's signature:

Date:

Residence: 2710 North Avenida Empalme, Tucson, AZ 85715

Citizenship: USA

Full name of fifth joint-inventor: Ronald David Martens

Inventor's signature:

Date:

Residence: 13497 South Bell Road, Benson, AZ 85602

Citizenship: USA